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Company of America*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

THERESA ENGLISH,

Plaintiff,

vs.

THE GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA,

Defendant.

Case No.: 2:23-cv-00231-CDS-EJY

**STIPULATED MOTION FOR LEAVE
TO FILE ADMINISTRATIVE RECORD
UNDER SEAL**

Defendant the Guardian Life Insurance Company of America (“Defendant”) and Plaintiff Theresa English (“Plaintiff”) stipulate and respectfully move the Court, pursuant to Federal Rule of Civil Procedure 5.2(d) and Local Rule IA 10-5(a), to order that the “Administrative Record” in this action –Defendant’s claim file – be filed under seal, without redactions.

This case concerns Plaintiff’s claim for long-term disability (“LTD”) benefits under an ERISA-governed LTD plan. The Administrative Record contains personal identifying information (“PII”) pertaining to Plaintiff throughout the file, including her social security number, date of birth, as well as Plaintiff’s medical and health information and confidential financial information.

Defendant cannot apply any type of tool to automatically redact certain forms or types of information in the Administrative Record (some of which contains images that cannot be readily/automatically redacted), which means that someone would have to manually review each page and manually redact each piece of PII. It will take a substantial amount of time to redact the Administrative Record and given the size of the file (it is over 6,000 pages), there is a chance that

1 one or more pieces of may be inadvertently missed during the redaction process. Given the amount
2 of protected information that must be redacted from each page, redacting will make some of the
3 pages of the Administrative Record difficult to review and understand.

4 The Court should have the benefit of the complete un-redacted version of the Administrative
5 Record in order to rule on the merits of the parties' claims and defense. Because the parties may be
6 filing dispositive motions that cite the Administrative Record, it would benefit the Court to have
7 access to the Administrative Record now. The parties agree that briefs and any orders can quote
8 directly from the Administrative Record without being filed under seal. Only the Administrative
9 Record would be filed under seal.

10 Filing the Administrative Record under seal, rather than redacting it, would result in a
11 substantial savings of time and expense.

12 Defendant produced a copy of the Administrative Record to Plaintiff on June 22, 2023.

13 The proposed sealed Administrative Record is filed at Exhibits 1-6

14 RESPECTFULLY SUBMITTED this 8th day of September 2023.

1 HATFIELD LAW ASSOCIATES

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2
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17 *Attorneys for Plaintiff Theresa English*

18 IT IS SO ORDERED:

19 DATED: September 11, 2023

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UNITED STATES MAGISTRATE JUDGE

/s/ Kristina N. Holmstrom

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